



**HB767 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)
Hearing before the House Environment and Transportation Committee,
Feb. 18, 2025
Position: FAVORABLE**

02/18/2025

The Honorable Chair Korman
House Environment and Transportation Committee

cc: Members, Environment and Transportation Committee

Honorable Chair Korman and Members of the Committee:

Economic Action Maryland Fund (formerly the Maryland Consumer Rights Coalition) is a statewide coalition of individuals and organizations that advances economic rights and equity for Maryland families through research, education, direct service, and advocacy. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland. Economic Action is also a member of the steering committee for Renters United Maryland, a coalition of organizations dedicated to strengthening tenant protections throughout the state.

Economic Action Maryland Fund believes House Bill 767 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Economic Action Maryland Fund's Tenant Advocacy Program is a direct service program that works with tenants to resolve disputes with landlords and provide tenant rights education. Our SOAR (Securing Older Adult Resources) Program also works directly with low-income older adults across the state to assist in applying for and receiving tax credits and social benefits. As property taxes and rent rise alongside the cost of living, older adults living on fixed incomes are struggling to pay their rent. One of our older clients is currently facing eviction, as the cost of her car insurance and utilities have increased so much that she can no longer afford her rent. Many older adults do not have wide support networks to ensure that all of their belongings are collected on the date of their eviction. Not only should evicted tenants be able to reclaim sentimental belongings after eviction, but they should also be able to ensure that any expensive medical devices and health necessities are able to be recovered.

Building a life is expensive, finding new housing in the face of an eviction is expensive, we must take steps to protect vulnerable Marylanders by ensuring they are able to reclaim as much of their personal property as they are able to within a reasonable timeline.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharna Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records &

2209 Maryland Ave · Baltimore, MD · 21218 · 410-220-0494

info@econaction.org · www.econaction.org

Tax ID 52-2266235

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children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (HB767) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through HB767, localities will no longer be at risk of litigation and financial loss.

HB767 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date **and** the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

HB767 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. HB767 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, HB767 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

For these reasons, Economic Action Maryland Fund urges a favorable report on HB767.

Thank you,

Zoe Gallagher

Policy Associate

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